

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>WALTER LEE BROWN,</b>	:	
<b>Petitioner,</b>	:	
	:	
<b>v.</b>	:	<b>Case No. 5:96-cv-58-CAR-CHW</b>
	:	
<b>JOHNNY C. SIKES,</b>	:	
<b>Respondent,</b>	:	
	:	

**ORDER DENYING CERTIFICATE OF APPEALABILITY**

Before the Court is Petitioner Walter Lee Brown's Motion for Certificate of Appealability relating to this Court's Order denying his seventh Motion to Set Aside. For the following reasons, Petitioner's Motion [Doc. 160] is **DENIED**. Petitioner filed a Rule 60(b) Motion to Set Aside Judgment. This Court adopted the Magistrate Judge's Report and Recommendation and denied his claims. Movant now seeks a certificate of appealability.

A state prisoner seeking to appeal a district court's final order denying his petition for a writ of habeas corpus has no absolute entitlement to appeal but must obtain a COA.<sup>1</sup> Pursuant to 18 U.S.C. § 2253(c)(2), a COA may issue "only if the applicant has made a substantial showing of a denial of a constitutional right." To satisfy this standard, Petitioner must show that "jurists of reason could disagree with the district court's

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<sup>1</sup> 28 U.S.C. § 2253(c)(1)(A).

resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further.”<sup>2</sup> For the reasons previously discussed [Docs. 154, 156], reasonable jurists would not debate the Court’s denial of Petitioner’s claims or conclude the issues presented are adequate to proceed further.

Petitioner has failed to make a substantial showing of the denial of a constitutional right necessary to grant a certificate of appealability. Therefore, Petitioner’s motion for a certificate of appealability [Doc. 160] is **DENIED**.

**SO ORDERED**, this 2nd day of July, 2024.

s/ C. Ashley Royal  
C. ASHLEY ROYAL, SENIOR JUDGE  
UNITED STATES DISTRICT COURT

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<sup>2</sup> *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).